

Regular Session, 2010

HOUSE BILL NO. 1297

BY REPRESENTATIVE WHITE

CIVIL SERVICE/FIRE & POL: Provides relative to the qualifications of certain members appointed to municipal fire and police civil service boards

1 AN ACT

2 To amend and reenact R.S. 33:2476(B)(1)(b) and 2536(B)(1)(b), relative to the municipal
3 fire and police civil service; to provide relative to the qualifications of certain
4 members appointed to municipal fire and police civil service boards; to provide that
5 members appointed from fire and police departments shall not be required to be
6 residents or qualified voters of the area in which they are appointed to serve; and to
7 provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 33:2476(B)(1)(b) and 2536(B)(1)(b) are hereby amended and
10 reenacted to read as follows:

11 §2476. Municipal fire and police civil service boards

12 * * *

13 B.(1)

14 * * *

15 (b) However, with respect to the two members elected from the municipal
16 fire and the municipal police departments, such members shall ~~be residents of the~~
17 ~~parish in which the municipality they are to serve is located for a period of at least~~
18 ~~five years preceding their appointment upon adoption of resolution so permitting~~
19 ~~residence location by the local governing authority~~ not be required to be residents
20 or qualified voters of the municipality in which they are appointed to serve.

21 * * *

1 §2536. Fire and police civil service boards

2 * * *

3 B.(1)

4 * * *

5 (b) However, with respect to the two members elected by and from the fire
6 and the police departments as provided in ~~R.S. 33:2536~~ Paragraph (C)(3) of this
7 Section, such members shall ~~have been residents of the parish in which the area they~~
8 ~~are to serve is located for a period of at least five years preceding their appointment,~~
9 ~~provided such residence requirement is approved by resolution of the local governing~~
10 ~~authority~~ not be required to be residents or qualified voters of the area in which they
11 are appointed to serve.

12 * * *

13 Section 2. This Act shall become effective on July 1, 2010; if vetoed by the governor
14 and subsequently approved by the legislature, this Act shall become effective on July 1,
15 2010, or on the day following such approval by the legislature, whichever is later.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

White

HB No. 1297

Abstract: Relative to municipal fire and police civil service boards, to provide that members appointed from fire and police departments shall not be required to be residents or qualified voters of the area in which they are appointed to serve.

Present constitution creates a fire and police civil service system applicable to municipalities of over 13,000 in population and parishes and fire protection districts. Provides that the system is subject to Art. XIV, §15.1 of the 1921 Constitution made statutory by the 1974 Constitution. Present law creates and provides for two fire and police civil service systems: (1) one applicable to any municipality which operates paid police and fire departments and which has a population of not fewer than 13,000 persons; and (2) one applicable to any parish, fire protection district, or municipality with a population of fewer than 13,000, but not fewer than 7,000 persons. Present constitution authorizes modifications to such systems (by law adopted by a 2/3 vote of each house of the legislature in the case of provisions of Art. XIV, §15.1 of the 1921 Constitution made statutory by the Constitution of 1974) but prohibits the legislature from abolishing the system or making it inapplicable to covered jurisdictions.

Proposed law retains present constitution and present law.

Present law, relative to both systems, provides that a municipal fire and police civil service board is created in the municipal and parish government as well as certain fire protection districts. Provides that the board shall be composed of five members who are required to serve without compensation. Requires that each member of the board be a citizen of the U.S. and a resident of the area for which fire or police protection is provided for at least five years preceding his appointment. Additionally requires each member to be a qualified voter of the area at the time of his appointment.

Proposed law retains present law.

Present law requires that at least two members of the board be appointed who shall be first nominated and elected by and from the regular employees of the fire and police departments. Provides that these members shall be residents of the parish in which they serve for a period of at least five years preceding their appointment to the board, if so permitted by a resolution of local governing authority.

Proposed law removes provisions that authorize the local governing authority to require members appointed from fire and police departments to be residents of the parish in which they serve and instead provides that such members shall not be required to be residents or qualified voters of the area in which they are appointed to serve.

Effective July 1, 2010.

(Amends R.S. 33:2476(B)(1)(b) and 2536(B)(1)(b))